

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

LUTHER KIMES, Y29527,)
vs.)
Plaintiff,)
vs.)
LAWRENCEVILLE HOSPITAL,)
LAWRENCE CORRECTIONAL)
FACILITY,)
MENARD CORRECTIONAL)
CENTER,)
Defendants.)
Case No. 23-cv-3879-DWD

MEMORANDUM AND ORDER

DUGAN, District Judge:

On January 11, 2024, the Court directed Plaintiff Luther Kimes to file an amended complaint by February 12, 2024. (Doc. 8). The Court clearly warned Plaintiff that if he failed to file an amended complaint, his case would be dismissed for failure to state a claim or to comply with a court order. (Doc. 8 at 4-5); *see also* Fed. R. Civ. P. 41(b); *James v. McDonald's Corp.*, 417 F.3d 672, 681 (7th Cir. 2005) (under Rule 41(b) a court has authority to dismiss an action for failure to prosecute if a party does not provide a timely response to a court order). The Court has not received any correspondence from Plaintiff other than his prison trust fund account statement. For the reasons explained in the January 11, 2024, Order the Court finds that Plaintiff has failed to state a valid claim under any potential legal theory against the named Defendants. Thus, his case is subject to dismissal under 28 U.S.C. § 1915A for failure to state a claim. Plaintiff's case is now

dismissed for failure to state a claim, and for failure to prosecute. The Clerk of Court is
DIRECTED to close this case.

IT IS SO ORDERED.

Dated: March 19, 2024

/s/ David W. Dugan
DAVID W. DUGAN
United States District Judge